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DISTRICT OF HAWAII

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUN 14 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

QK HOTEL, LLC, a Hawaii LLC,

Defendant,

and

KG HOLDINGS, LLC; et al.,

Defendants - Appellants,

v.

SPORTS SHINKO CO., LTD., a Japanese
corporation in reorganization, through
Keijiro Kimura, its Deputy Trustee,

Plaintiff-third-party-defendant -
Appellee,

and

FRANKLIN K. MUKAI,

Defendant-third-party-plaintiff,

v.

SPORTS SHINKO (US) CO., LTD., a
Delaware corporation,

Third-party-defendant -
Appellee.

No. 06-17219

D.C. Nos. CV-04-00124-ACK
CV-04-00125-ACK
CV-04-00126-ACK
CV-04-00127-ACK
CV-04-00127-ACK
CV-04-00128-ACK

District of Hawaii,
Honolulu

ORDER

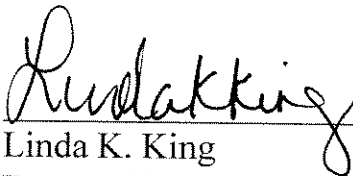
No. 06-17219

The parties stipulation to voluntarily dismissal of this appeal without prejudice is denied. *See USA v. Arevalo*, 408 F.3d 1223 (9th Cir. 2005).

Within 30 days after the date of this order, appellant shall file the opening brief. The answering brief is due e30 days after service of the opening brief. The optional reply brief is due 14 days after service of the answering brief.

For the Court:

CATHY A. CATTERSON
Clerk of the Court

A handwritten signature in cursive script, appearing to read "Linda K. King", is written over a horizontal line.

Linda K. King
Deputy Clerk

Ninth Cir. R. 27-7/Advisory Note to Rule 27
and Ninth Circuit Rule 27-10

pro 6.4